IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.19214 of 2005

Dated: March 20, 2006

Between:

M. Prabhavathi, W/o. D. Prasada Rao,
aged 54 years, Occ: Secretary, Korukonda
PACS, Korukonda Mandal, East Godavari
District.

… Petitioner

And

The District Cooperative Officer, East
Godavari District at Kakinada, and two
others.

… Respondents

Order:

Petitioner, by this Writ Petition, seeks Mandamus declaring the action of the respondents in continuing him under suspension for more than a year on the alleged irregularities that have taken place in Srirangapatnam PACS, while he has been working in Korukonda PACS, as illegal and arbitrary.

2. The facts of the case, in brief, are that the petitioner was appointed as a Paid Secretary in the third respondent-Society on
05-04-1978, and was allotted to Dosakayalapalli PACS and later, on being transferred; she has been working in the third respondent-Society. While things stood thus, a surcharge notice was issued to her alleging certain irregularities. Petitioner claims to have submitted explanation to the said notice and thereafter enquiry was also initiated. It is the case of the petitioner that the third respondent, on the directions of the first respondent, by proceedings dated 28-03-2004, kept her under suspension. Challenging the said proceedings, earlier, petitioner approached this Court by way of W.P.No.13425 of 2004 seeking reinstatement into service. This Court, while disposing of the said writ petition, by order dated 07-03-2005, directed the respondents therein to complete the enquiry and pass orders within three months therefrom. It was also observed that if the enquiry is not completed and final orders are not passed within the time stipulated aforesaid, the petitioner shall be reinstated into service. Now, the present Writ Petition has been filed on the ground that though there is no adverse enquiry report, in spite of the same, respondents are taking steps to remove the petitioner from service.

3. It is to be noticed that if the enquiry report is in favour of the petitioner as claimed by her, in the event of any order being passed removing her from service, it is always open for her to question the same. However, there is absolutely no basis for the apprehension of the petitioner on the proposed order of the third respondent. Further, in this Writ Petition, petitioner has already obtained an order of *status quo* by order dated 31-08-2005. It appears that pursuant to the *status quo* orders of this court, no final orders have been passed.

4. In the above circumstances, I dispose of the Writ Petition directing the respondents to complete the enquiry initiated against the petitioner and pass appropriate final orders within a period of two months from the date of receipt of a

copy of this order.

5. The Writ Petition is disposed of with the above directions. No order as to costs.

_____

JUSTICE R. SUBHASH REDDY.

March 18, 2006

N.B. **Furnish C.C. in four days**

B/o

MRR